

**KANSAS STATE BOARD OF TECHNICAL PROFESSIONS  
SEPTEMBER 2018 MEETING MINUTES  
ERIC WIMMER, CHAIR**

**SEPTEMBER 21, 2018**

**10:00 A.M.**

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Members present were:

Maurice Bowersox, P.E.  
Bob Henthorne, P.G.  
Fredrick Laurino, Public Member  
John Lilak, P.S.  
Jack Poole, P.E.  
Eric Wimmer, Architect  
Joseph Johnson, Architect  
Carisa McMullen, Landscape Architect  
Larry Graham, P.E., P.S.

Members absent were:

Edward Halloran, Public Member  
Richard Hayter, P.E.  
William Haverkamp, P.S.

Others present were:

Athena Andaya, Deputy Attorney General  
Jane Weiler, Assistant Attorney General  
Shelby Lopez, Executive Director  
Sarah Easter, Assistant Director  
Jessica Pierce, Public Service Administrator

**I. MINUTES**

- A. Approval of minutes of the July 20, 2018, meeting (previously distributed)

By motion of Mr. Bowersox, seconded by Mr. Laurino, the Board voted to approve the minutes of the July 20, 2018 Board meeting.

**II. ADDITIONS OR ADJUSTMENTS TO THE AGENDA**

By motion of Mr. Bowersox, seconded by Mr. Graham, the Board voted to approve the consent agenda.

### **III. REVIEW AND APPROVAL OF CONSENT AGENDA**

- A. Possible review of items removed from consent agenda.

There were no additions or adjustments to the agenda.

### **IV. PUBLIC COMMENTS – 10:15 AM**

- A. Requests for public comments.

There were no public comments.

### **V. EXECUTIVE SESSION (IF NEEDED)**

By motion of Mr. Mancini, seconded by Mr. Poole the Board voted to move into Executive Session at 10:12 am for 10 minutes to discuss such individual employee's performance. The Board reconvened the open meeting at 10:23 am.

### **VI. ATTORNEY REPORT**

- A. Athena Andaya – KORA/KOMA overview

Ms. Andaya reviewed the KORA/KOMA for new board members reminding them to be aware that all correspondence could be subject to a KORA request. She also reviewed the TORT Act as well as the Governmental Ethics Rules.

### **VII. REVIEW OF INQUIRIES/COMPLAINTS & ATTORNEY REPORTS**

- A. Complaint Files – Report from Complaint Committee – Chair Bowersox

Mr. Bowersox reported the Committee reviewed 18 cases; 4 was closed without action and 5 were tabled for the December 2018 meeting. In addition, an investigator will be appointed for 1 case. By motion of Mr. Johnson, seconded by Mr. Graham, the Board voted to accept the Committee Report.

## VIII. COMMITTEE AND ADMINISTRATIVE REPORTS

### A. ARCH/LA/PG Committee – Chair Johnson

Mr. Johnson reported the Committee reviewed three applications, approving two and denying one. The Committee reviewed and approved revised regulations for K.A.R. 66-9-7, K.A.R. 66-10-1 and K.A.R. 66-10-3. Mr. Henthorne will attend the ASBOG Annual Meeting in November. By motion of Mr. Graham, seconded by Mr. Bowersox, the Board voted to accept the Committee Report.

### B. PE/PS Committee – Chair Haverkamp

In Mr. Haverkamp's absence, Mr. Graham reported the Committee reviewed seven applications; six were approved and one was tabled for further discussion pending the receipt of Bachelor's Degree transcripts as well as a foreign degree evaluation. The Committee heard comments from Mr. Garret Tuftte regarding his reasonings for believing he was exempt from the education requirement. Mr. Graham instructed Mr. Tuftte to return to the state in which he passed his exams to become licensed and apply with Kansas by comity. Mr. Tuftte is to report back if this is not an option. The Committee reviewed and approved five exam retakes. By motion of Mr. Johnson, seconded by Mr. Laurino, the Board voted to accept the Committee Report.

### C. Administrative Report

Ms. Lopez gave the administrative and budget report. Erin Thompson and Jesse McFarland recently started employment with the Board.

## IX. CORRESPONDENCE

### A. Email from Jason Ellis

Ms. Lopez will draft correspondence to Mr. Ellis stating the Board does not give advisory opinions and that Mr. Ellis may need to seek legal counsel.

## X. UNFINISHED BUSINESS

### A. Request for Attorney General Opinion

By motion of Mr. Graham, seconded by Mr. Johnson, the Board voted to not seek an opinion from the Kansas Attorney General on whether Professional Surveyors are required to have their signature notarized when it is placed upon his/her professional seal in accordance with K.A.R. 66-6-1.

### B. Emeritus Board Member Policy

By motion of Mr. Graham, seconded by Mr. Johnson, the Board voted to approve the Emeritus Board Members Policy as presented.

C. K.A.R. 66-7-4

Ms. Andaya requested permission to amend the regulation based on feedback others in the Attorney General's office have received. The Committee granted permission and tabled the discussion of the regulation.

A. **NEW BUSINESS**

A. KSBTP Fee Schedule

The Committee tabled the discussion of the regulation.

A. **ADJOURN**

By motion of Mr. Henthorne, seconded by Mr. Poole, the Board voted to adjourn at 1:25 p.m.